

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF PENNSYLVANIA**

ASPEX EYEWEAR, INC.,)	
CHIC OPTIC, INC.,)	
)	
)	
Plaintiffs,)	Civil Action No. 2:06-cv-1276
)	
vs.)	Judge Gary L. Lancaster
)	Magistrate Judge Amy Reynolds Hay
SPECTACLES, ETC., INC.)	
)	
Defendant.)	

ORDER FOR DEFAULT JUDGMENT

These actions having commenced on September 18, 2006 by the filing of the Summons and Complaint, and Defendant having failed to make an appearance or otherwise defend this action, it is hereby ORDERED:

That default judgment is ENTERED against Defendant for Plaintiffs' claims of breach of contract, trademark infringement, false designation of origin, false advertising, unfair competition, pursuant to the Federal Lanham Act and the Laws of the Commonwealth of Pennsylvania; and

That Defendant and its officers, agents, employees, representatives, and all persons in privity therewith be permanently enjoined and restrained from using on or in connection with the importation, sale, offering for sale, distribution, exhibition, display or advertising of its goods or

services through the Internet or otherwise, the mark Z:CLIPS, or any other mark with other words or symbols which are confusingly similar to, or colorably imitative of Plaintiffs' EASYCLIP trademarks; and

That Plaintiffs have judgment against defendant for their breach of contract claim in the amount of \$15,890.89; and

A hearing on damages will be held before the undersigned on Friday, February 9, 2007 at 11 a.m. in Courtroom #3A on Plaintiffs' remaining claims of trademark infringement, false designation of origin, false advertising, unfair competition, pursuant to the Federal Lanham Act and the Laws of the Commonwealth of Pennsylvania. Plaintiffs may conduct damages discovery until January 30, 2007.



United States District Judge
1/12/07